

would not be unusual for him to be unaware of letters or meetings, even those involving congressmen and senators.

Babbitt testified that he never sees 95 percent of all correspondence addressed to him. He said when he gets directly involved in responding to congressional contacts, it is usually because the issue involves the way the Department does its business (for instance, appropriations matters), or because the person calling is a chairman or a member of one of the committees overseeing Interior. Such involvement in these instances, he said, is an effort to maintain good relations with them.⁴¹⁵ He also said phone calls from congressional leaders are harder to delegate to staff than letters; this is why he was personally involved in phone contacts with senators and congressmen on other Indian gaming matters, though he maintained he was not involved in congressional calls on Hudson.

Babbitt said he knows he traveled to Wisconsin or Minnesota four or five times during the pendency of the Hudson application and may have heard about the Hudson matter then. He recalls being aware it involved a dog track, but does not recall discussing the matter, even though he has seen news articles that quoted him addressing it in Minnesota in late 1994. He also said he had no recollection of contact with citizens or local officials prior to the decision.

⁴¹⁵(...continued)
meeting and the applicants' irritation over the additional comment period.

⁴¹⁶Babbitt said he was not aware of any rules in effect at Interior prior to July 14, 1995, or at the time of this investigation governing how Departmental employees should handle congressional contacts. He also said there were and are no rules governing contacts with lobbyists or members of Indian tribes with matters of interest pending before the Department. Babbitt further stated that he has never had a "bright line policy" or practice for himself as to when or if he will meet with people from outside the Department with business before the Department or whether he will meet with them without having a staff member present. Babbitt G.J. Test., July 7, 1999, at 186.